

February 13, 2019

Mr. Henry Leskinen
Eco-Science Professionals Inc.
P O Box 5006
Glen Arm MD 21057

Re: CMB Investments Inc. Property
8932 Cowenton Ave. Perry Hall 21128
Forest Buffer Variance
Tracking No. 05-19-2892

Dear Mr. Leskinen:

The Department of Environmental Protection and Sustainability (EPS) has completed a review of the request for a variance from Baltimore County Code Article 33, Title 3, Protection of Water Quality, Streams, Wetlands and Floodplains submitted for the above referenced property. This request proposes to reduce the 35-foot principal structure setback to the forest buffer by 266 square feet for an existing dwelling in a proposed two lot subdivision. The setback is 22-feet from the northwest corner of the dwelling and increases to the required 35-feet at a position 28-feet southward. There are no forest buffer, stream, wetland, or forest impacts proposed. The forest buffer is associated with a wetland area within the Use IV Honeygo Run watershed.

This Department has reviewed your request, and has determined that a practical difficulty/unreasonable hardship does exist as complying with the full extent of the law would not allow continued existing use of this recently constructed replacement dwelling. There are no impacts to the required forest buffer associated with this setback reduction. In addition, the potential for impacts to water quality and aquatic resources as a result of this proposal can be minimized by performing mitigative measures. Based on this review, the proposed principal structure forest buffer setback reduction on this property meets the requirements of Baltimore County Code Section 33-3-106. The approval is subject to the following conditions to minimize water quality impacts:

1. The following notes must appear on all plans submitted for this project:

“On February 13, 2019, a variance to Baltimore County Code Article 33, Title 3 Protection of Water Quality, Streams, Wetlands and Floodplains was granted by the Baltimore County Department of Environmental Protection and Sustainability to allow a principal structure forest buffer setback reduction on this property as shown on the plan. Conditions were placed on this variance to reduce water quality impacts.”

Mr. Henry Leskinen
CMB Investments Inc. Property
8932 Cowenton Ave. Perry Hall 21128
Forest Buffer Variance
Tracking No. 05-19-2892
February 13, 2019
Page 2

2. The mitigation for the reduced principal structure setback shall be the planting of native trees and shrubs along the forest buffer limits in this area. The plantings shall cover the 90 degree turn area. The forest buffer easement shall be permanently posted with "Forest Buffer - Do Not Disturb" signs. All mitigation shall be outlined in a forest buffer protection plan (FBPP). This plan must include details on the reduced principal structure setback within the required forest buffer as proposed in the variance submittal. The final FBPP must be approved prior to grading permit approval.
3. An Environmental Agreement shall be completed for the required environmental securities. The security for forest buffer mitigation shall be a minimum of \$0.25 per square foot of mitigation area.
4. The required forest buffer easement, and forest buffer and forest conservation easement shall be recorded in Baltimore County Land Records along with the appropriate declarations of protective covenants, conditions, and restrictions in the right-of-way plat process.
5. All conditions of this variance must be completed to the satisfaction of this Department prior to any permit approval for the minor subdivision, or as outlined in the FBPP.

It is the intent of this Department to approve this variance subject to the above conditions. Any changes to site layout or plan information may require approval of an amended variance request.

Please have the property owner sign the statement at the end of this letter, and return the signed original of this letter to this Department within 21 calendar days. Failure to return a signed copy may render this approval null and void, or may result in delays in the processing of plans for this project.

If you have any questions regarding this correspondence, please contact Paul Dennis at (410) 887-3980.

Sincerely yours,

David V. Lykens
Acting Director

DVL: pad

Mr. Henry Leskinen
CMB Investments Inc. Property
8932 Cowenton Ave. Perry Hall 21128
Forest Buffer Variance
Tracking No. 05-19-2892
February 13, 2019
Page 3

I/We agree to the above conditions to bring my/our property into compliance with Baltimore County Code Article 33. Environmental Protection And Sustainability, Title 3. Protection of Water Quality, Streams, Wetlands, and Floodplains:

Property Owner(s)

Date

Printed Name(s) of Property Owner(s)